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13 *Attorneys for Plaintiff*
14 BIJAN RAZILOU

15 UNITED STATES DISTRICT COURT
16 DISTRICT OF NEVADA

17 JEREMY BAUMAN, individually and on
18 behalf of all persons similarly situated,

19 Plaintiffs,

20 v.
21 DAVID SAXE; SAXE MANAGEMENT,
22 LLC; DAVID SAXE PRODUCTIONS, LLC;
23 DAVID SAXE PRODUCTION, INC.; V
24 THEATER GROUP, LLC; SAXE THEATER,
25 LLC; and TWILIO, INC.,

Defendants.

Case Number: 2:14-cv-01125-RFB-PAL

**STIPULATED PROTECTIVE
ORDER REGARDING THE
VIDEOTAPED DEPOSITION OF
BIJAN RAZILOU**

26 BIJAN RAZILOU, individually, and on behalf
27 of all others similarly situated,

In consolidation with
Case No.: 2:14-cv-01160-RFB-PAL

28 Plaintiff,

v.
29 V THEATER GROUP, LLC; DAVID SAXE
30 PRODUCTIONS, INC.; DAVID SAXE
31 PRODUCTIONS, LLC; SAXE
32 MANAGEMENT, LLC; DAVID SAXE; SAXE
33 THEATER, LLC; and TWILIO, INC.,

Defendants.

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1 Plaintiff Bijan Razilou, by and though his counsel of record, the law firm of Bailey Kennedy,
 2 the law firm of Strategic Legal Practices, APC, and the law firm of Mazie Slater Katz and Freeman,
 3 LLC and defendants V Theater Group, LLC, David Saxe Productions, Inc., David Saxe Productions,
 4 LLC, Saxe Management, LLC, Saxe Theater, LLC and David Saxe, by and through their counsel of
 5 record, Davis Wright Tremaine LLP and defendant Twilio, Inc. by and through their counsel of
 6 record Goodwin Procter LLP, hereby enter into this Stipulation for a Protective Order pursuant to the
 7 provisions of NRCP 26(c). The parties have agreed and stipulated to the entry of this Order for the
 8 protection of the identity of Bijan Razilou.

9 WHEREAS Plaintiff Bijan Razilou has advised Defendants that he is employed in the field
 10 of law enforcement;

11 WHEREAS Plaintiff Bijan Razilou has further advised Defendants that as part of his job he
 12 is sometimes required to conceal his identity during investigations and therefore tries to avoid any
 13 pictures or video of himself being publically available;

14 WHEREAS Plaintiff Bijan Razilou requested that his deposition proceed by means of
 15 stenographic recording only to protect his confidentiality;

16 WHEREAS Defendants advised that they required the deposition be videotaped, but agreed
 17 to enter into this Stipulated Protective Order to address Plaintiff Bijan Razilou's confidentiality
 18 concerns;

19 **IT IS HEREBY STIPULATED AND AGREED**, by and between the parties hereto,
 20 through their respective counsel of record, that the following shall govern the disclosure of the video
 21 recording of Plaintiff Bijan Razilou's deposition ("Razilou Video") in this action:

22 1. The Razilou Video (but not the deposition transcript) shall be marked "Confidential"
 23 because Plaintiff Bijan Razilou asserts that video documentation of his physical appearance
 24 constitutes highly sensitive and non-public information that will irreparably harm the disclosing
 25 party if it becomes known to the public.

26 2. The Razilou Video shall be controlled strictly by this Order, and no disclosure or use
 27 of such information, by any person who has received it through this litigation, can be made except in
 28 accordance with the requirements of this Order.

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1 3. All counsel and the videographer who records the Razilou Video shall make
2 reasonable arrangements to maintain the confidentiality of and to preclude the disclosure of the
3 Razilou Video.

4 4. Attorneys of record who receive the Razilou Video shall use it only for the purposes
5 of this action and shall not disclose it, except to the following persons:

- 6 (a) Attorneys for named parties and any named party to this action;
- 7 (b) Persons employed by or working under the direction of attorneys for the
8 named parties, including secretaries and legal assistants, to the extent
9 necessary to perform specific duties in connection with this action;
- 10 (c) The Court and court personnel, stenographic reporters, and videographers at
11 depositions taken in this action, and any jury empanelled in this action;
- 12 (d) Independent experts or consultants retained by a party or an attorney of record
13 for purposes of this litigation, to the extent necessary to perform specific
14 duties in connection with this action, provided that each such person shall
15 execute a copy of the Certification annexed to this Order as Exhibit "A"
16 (which shall be retained by counsel to the party so disclosing the Razilou
17 Video)

18 5. An attorney of record who permits a person qualified under Paragraph 4(b) and(d) to
19 access the Razilou Video received through discovery in this action shall first inform the recipient of
20 the terms of this Order, advise the recipient that he or she is bound by its terms, and obtain the
21 agreement of the recipient not to make further disclosure of the Razilou Video. Each attorney of
22 record who discloses the Razilou Video shall retain for one year following the conclusion of this
23 action a list of all persons to whom the Razilou Video has been disclosed.

24 6. If any party seeks to file the Razilou Video or any portion thereof with the Court in
25 this action, the Razilou Video shall be filed under seal. Unless otherwise permitted by statute, rule or
26 prior court order, papers filed with the court under seal shall be accompanied by a contemporaneous
27 motion for leave to file those documents under seal.

1 7. In the event a person who has received the Razilou Video subject to this Order is: (a)
 2 subpoenaed in another action; (b) served with a demand in another action to which the person is a
 3 party; or (c) served with any other legal process by one not a party to this action, that seeks the
 4 Razilou Video, he, she, or it shall give prompt written notice of the receipt of such subpoena,
 5 demand or other legal process to Plaintiff Bijan Razilou and his counsel, and upon request, shall
 6 cooperate with the Plaintiff Bijan Razilou and his counsel in their reasonable efforts to obtain an
 7 appropriate order protecting the Razilou Video from disclosure.

8 8. Prior to the use of the Razilou Video at any hearing, counsel who desires to use such
 9 video shall notify Plaintiff Bijan Razilou and his counsel at least fourteen (14) days in advance to
 10 afford Plaintiff Bijan Razilou and his counsel
 11 the opportunity to object to disclosure of the Razilou Video.

12 9. Within sixty (60) days of the final disposition of this action, whether by judgment
 13 (including exhaustion of all appeals), settlement or otherwise, attorneys for the Defendants shall
 14 promptly deliver to Plaintiff Bijan Razilou's counsel (1) all copies of the Razilou Video, or (2) a
 15 written statement declaring that all such copies of the Razilou Video have been destroyed. No copies
 16 of Razilou Video in any form can be retained by any party.

17 10. This Order shall survive the final conclusion of this action, subject to the terms of this
 18 Protective Order and shall continue in full force and effect.

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14 Hong-Ann Vu, Esq.
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19
20 *Attorneys for Defendant Twilio, Inc.*

21 IT IS SO ORDERED

22 Dated this ____ day of _____, 2015

23 **UNITED STATES DISTRICT COURT JUDGE**

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EXHIBIT "A"

CERTIFICATION

I understand the Razilou Video is being provided to me pursuant to the terms and restrictions of the Stipulation and Protective Order Regarding the Videotaped Deposition of Bijan Razilou in United States District Court – District of Nevada Case Number Case No. 2:14-cv-01125-RFB-PAL (Consolidated with Case No. 2:14-cv-01160-RCJ-PAL). I have been given a copy of that Order and read it. I agree to be bound by the Order. I will not disclose the Razilou Video to anyone, except as allowed by the Order. I will maintain all copies of the Razilou Video in a secure manner to prevent unauthorized access to it.

No later than thirty (30) days after the conclusion of this action, I will return the Razilou Video including copies to counsel who provided me with the Razilou Video.

I hereby consent to the jurisdiction of the United States District Court for the District of Nevada for the purpose of enforcing the Protective Order.

Dated:

Signature:

Printed Name: _____

Address: _____